

Congress of the United States
Washington, DC 20515

October 27, 2005

The Honorable C.W. Bill Young
Chairman
House Appropriations Committee
Subcommittee on Defense
H-149 U.S. Capitol
Washington, D.C. 20515

Dear Chairman Young:

We are writing to express our strong support for Section 8154 (Uniform Standards for the Interrogation of Persons) and Section 8155 (Prohibition on Cruel, Inhuman or Degrading Treatment) in the Senate version of H.R. 2863, the Defense Appropriations Act of 2006 ("the Anti-Torture Provisions"). We urge you to retain these provisions in the final conference agreement without modification.

We believe that the Anti-Torture Provisions are vital to protecting American service members in the field both now and in the future. We strongly support President Bush's efforts to defeat terrorism and also believe that these provisions will play a crucial role in winning that struggle. They will provide vital clarity about the values and standards by which America lives in contrast to our enemies. President Bush has said that America will stand firm on the non-negotiable demands of human dignity and will treat all detainees humanely. The Anti-Torture Provisions implement this pledge.

Sections 8154 and 8155 do not invent new standards. Rather they endorse the existing standards in the U.S. Army Field Manual on Interrogations and the Convention Against Torture, a treaty signed by President Reagan and brought to the Congress by President George H.W. Bush. The U.S. Army Field Manual makes clear that abusive interrogation tactics are not necessary to obtain information. The Manual shows that such tactics are counterproductive and produce unreliable information. It also warns that using such tactics endanger U.S. forces.

We do not believe that the Anti-Torture Provisions usurp presidential prerogatives. It is Congress's right - and its duty - to provide clear guidance to our armed forces consistent with the constitutional mandate under Article I, Section 8 to "make Rules concerning Captures on Land and Water" and "Rules for the Government and Regulation of the land and naval Forces."

As you know, the Anti-Torture Provisions were adopted by a Senate vote of 90 to 9 with Republican leadership. Senator McCain, a former prisoner of war, introduced the provisions with the Chairman of the Armed Services Committee, Senator Warner, and Senator Lindsey Graham, a former military judge. Forty-six Senate Republicans voted for these provisions, including the Senate Majority Leader, Senator Frist. Former Secretary of State and Chairman of the Joint Chiefs Colin Powell, former Chairman of the Joint Chiefs John Shalikashvili and dozens of other senior retired military officers have endorsed these provisions. It has been strongly endorsed by the U.S. Catholic Bishops Conference and the American Jewish Committee.

Finally, as we mentioned at the outset, we believe that the Anti-Torture Provisions should be adopted intact in the final conference agreement. Limiting provisions, such as a Presidential waiver, would be fundamentally inconsistent with their core purpose. Clarity is what our men and women in uniform have asked for and need. We cannot claim that the United States is adamantly opposed to torture if we simultaneously say "unless the President approves" or "unless it takes place outside of the United States." A presidential waiver or a geographic limitation would destroy an essential element of the Anti-Torture Provisions and render them less than useless.

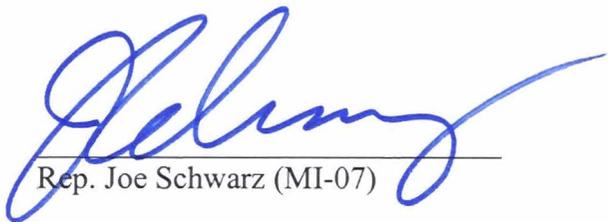
Sincerely,



Rep. Mike Castle (DE-A/L)



Rep. Christopher Shays (CT-04)



Rep. Joe Schwarz (MI-07)



Rep. Charles Dent (PA-15)



Rep. Vernon Ehlers (MI-03)



Rep. Wayne Gilchrest (MD-01)



Rep. Sherwood Boehlert (NY-24)



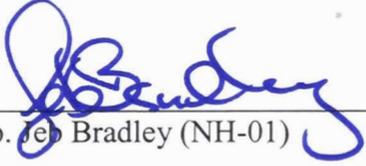
Rep. Thomas Petri (WI-06)



Rep. Ron Paul (TX-14)



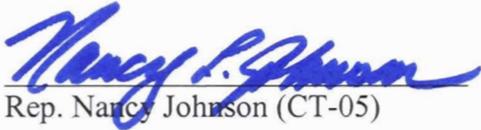
Rep. James A. Leach (IA-02)



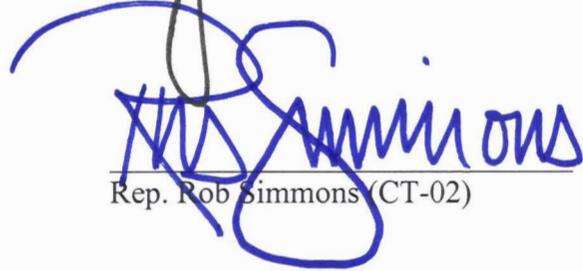
Rep. Jeb Bradley (NH-01)



Rep. James Walsh (NY-25)



Rep. Nancy Johnson (CT-05)



Rep. Rob Simmons (CT-02)



Rep. Randy Kuhl (NY-29)

Cc: The Honorable Jerry Lewis
The Honorable Thad Cochran
The Honorable Ted Stevens
The Honorable John McCain
House Defense Appropriations Conferees